

## **Message from the Chief**

**Chief's Memo – June 12, 2006**

### ***What is CDF's Mission?***

It seems like the subject of CDF's mission and what we are called is a hot topic at a variety of locations. Last week I went to Pasadena to meet with the Board of Forestry & Fire Protection to deliver my Director's Report. During the question and answer portion of my presentation, the subject of the CDF Mission came up. The same subject has been discussed during legislative budget hearings, in reports and analysis from the LAO, and within CDF. The Board of Forestry & Fire Protection has requested we continue that discussion at their next meeting.



I believe that understanding of and agreement with the CDF Mission is critical to every stakeholder (internal and external). The mission drives staffing, succession plans, funding, expectations, goals, objectives, 2-year work plans, strategic planning and legislative authority and responsibility. It gives the employees of CDF a sense of direction and the CDF leadership a compass by which to lead. What do we say about our mission to the public?

Currently stated on the CDF website are a number of mission statements:

### **CDF Main Page**

The Department of Forestry and Fire Protection protects the people of California from fires, responds to emergencies, and protects and enhances forest, range, and watershed values providing social, economic, and environmental benefits to rural and urban citizens.

### **SFM Main Page**

The mission of the State Fire Marshal is to protect life and property through the development and application of fire prevention engineering, education and enforcement.

### **Fire Protection Main Page**

Responding to all types of emergencies on a daily basis is the role played by most of the CDF workforce. Those emergencies take the form of wildland fires, residential/commercial structure fires, automobile accidents, heart attacks, drownings, lost hikers, hazardous material spills on highways, train wrecks, floods, earthquakes - the list is endless. CDF's firefighters, fire engines and aircraft respond to an average of more than 5,600 wildland fires, and answer the

call more than 300,000 times for other emergencies each year.

CDF crews and equipment are a familiar sight throughout the State with responsibility for the protection of over 31 million acres of California's privately-owned wildlands. In addition, they provide emergency services of all kinds within 36 of California's 58 counties through local government contracts.

### **Resource Management Main Page**

California is rich in natural resources. Of the 85 million acres classified as wildlands, nearly 17 million are commercial forest land, half privately-owned and half government-owned. This forest land grows 3.8 billion board feet yearly. Approximately 2 billion board feet of timber is harvested per year, with a value of over \$1 billion. In addition to timber, the state's wildlands also provide valuable watershed, wildlife habitat, and recreation resources.

Maintaining the sustainability of all these natural resources is the goal of the CDF Resource Management Program. The Department achieves this goal by administering state and federal forestry assistance programs for landowners, demonstrating sound management practices on eight demonstration state forests, enforcing the California Forest Practice Act on all non-federal timberlands, providing research and educational outreach to the public on forest pests such as Sudden Oak Death, and coordinating efforts for fuel reduction to reduce the risk of fire and improve the quality of California ecosystems.

CDF's mission emphasizes the management and protection of California's natural resources. The Resource Management Program is an integral part of that responsibility.

### **Urban Forestry Main Page**

The mission of the California Department of Forestry and Fire Protection's Urban Forestry Program is to develop a regional and statewide cooperative effort to advance the development of sustainable urban and community forests. Trees provide energy conservation, reduction of storm-water runoff, extend the life of surface streets, improve local air, soil and water quality, reduce atmospheric carbon dioxide, provide wildlife habitat and increase property values. They give us shady sidewalks and parks, and improve the quality of life in our urban environments.

This mission is accomplished in cooperation with many groups including: California ReLeaf; California Urban Forest Council; USFS Center for Urban Forest Research; Urban Forestry Ecosystem Institute; and others representing power utilities, municipal arborist and professional organizations.

Regardless of the CDF stated missions from the above websites, the true mission of CDF is determined by a number of sources that include:

- 1) The Governor can and does direct the department through the administration by the Director and through executive orders.
- 2) The Legislature can and does through legislative acts that are signed by the Governor.
- 3) The Board of Forestry & Fire Protection can and does set policy for CDF within their scope of legislated authority.
- 4) Legislative authority of the Director, the EMSA Director, the OES Director, the OSHA Director, and other regulatory bodies can impact CDF's Mission.
- 5) Judicial findings, court rulings, labor relations agreements, arbitrations, and other legal rulings may impact the CDF Mission.

In the months ahead, I hope to explore and define the Mission of CDF in a way that clarifies for all stakeholders the responsibilities of today's CDF, as well as into the future. I look forward to working with all stakeholders on this important matter. I have charged our "Succession Planning Committee" with identifying the current legislated responsibilities of CDF. The list below is a work in progress. Please feel free to identify other laws or regulations affecting CDF that might not be listed. Contact Ken McLean, Chief of Fire Protection Programs, with any additional information.

Regards,

A handwritten signature in black ink, appearing to read 'R. Grijalva', with a stylized flourish at the end.

Ruben Grijalva, Chief  
Director / State Fire Marshal

**Current Code Sections that apply to CDF and the OSFM**  
**compiled as of 5/19/2006**

<b>Public Utilities Code</b>	
25743.f.3.C	CDF to identify species known to harbor insect or disease nests and approve transportation
<b>Health &amp; Safety Code</b>	
1797.109 (a)	State EMSA in the Health and Welfare Agency may develop or prescribe standards for CDF EMT
1797.115.e.3	Defines "State Agency" as any state agency that provides residential or institutional fire protection including CDF
1797.132	Interdepartmental Committee on EMS is established and includes the SFM and Director of CDF
12000(d)	OSFM regulates explosives
12003	Chief means Director of CDF or others. And if no f.d. exists, then chief means the County Sheriff for this part only
12580	OSFM may issue and renew licenses for manufacture, export, sale, and use of all fireworks
13002	Allows CDF and others to determine a public health and safety hazard or public nuisance or fire hazard regards throwing lit or burning objects
13053	State Forest Ranger within a county may authorize the use of personnel, equipment, and facilities of local agencies to assist with control of large fires
13054	CDF to agree with Board of Supervisors and the USFS on a schedule of reimbursement for use of local agency resources
13055	Allows CDF and any public agency authorized to fight fire to use fire to abate a fire hazard
13070	Chapter known as Firescope Act of 1989 - OES administers the program and at 13073 cooperates with CDF and OSFM
13100.a	Creates the Office of the State Fire Marshall in the Department of Forestry and Fore Prot.
13100.1	OSFM Functions are to foster, promote and develop ways and means to protect life and property
13104	OSFM shall aid in enforcement all laws, rules, and regs. in H&SC and State building standards code relating to fires, prevention, and protection
13104.a & b	OSFM takes charge of and protect property imperiled by fire except Forest, brush, or grain fire and fires in areas with fire protection
13105.5	CDF may abate fire hazards on property owned, controlled, held in trust by the State outside SRA upon request of the responsible city or county
13104.6	OSFM may determine the existence of a fire hazard on property deeded to the State for taxes
13105	OSFM shall encourage the adoption of fire prevention measures by education, engineering and enforcement and shall prepare and disseminate information
13105.2	OSFM shall establish a statewide HazMat training facility at the Del Valle Training facility in L.A.
13105.5	OSFM shall establish fire prevention training for fire prevention inspectors
13105.7	OSFM may establish a schedule of fees for inspection, approval, and listing of consumer products testing facilities and (b) may charge fees
13106	OSFM, during a fire, may protect property affected until arrival of the owner or claimant and may store it at owner's expense
13107	OSFM shall investigate every explosion or fire at State owned or occupied institutions, buildings or in jurisdictions with no FD
13107.b	OSFM, within the limit of resources and manpower, shall investigate any explosion or fire at the request of a local Fire or Police Chief when arson is suspected
13107.c	OSFM shall cooperate in establishing a training program for arson investigation and detection
13107.d	OSFM may establish an arson investigation unit
13107.5	OSFM may investigate every pipeline break or explosion. OSFM may immediately order a pipeline closed
13108	OSFM shall prepare and adopt building standards. Shall prepare and adopt regulations for the installation of equipment and furnishings
13108.c	OSFM shall enforce adopted regulations in state owned / occupied buildings and institutions OSFM may authorize local fire officials to make these inspections in state facilities

13108.d	OSFM shall determine appeals of code requirements or orders
13108.5	SFM shall consult with directors of CDF and Housing and Comm. Dev. Regards construction in fire hazard severity zones
13108.5.d	CDF, pursuant to the National Fire Plan (PL 106-291), produces the listing "Communities at Risk From Wildfires"
13108.6	OSFM may adopt regulations specifying access to roofs and may limit the use of razor wire, chain link, or other fences which would obstruct access
13108.9	OSFM shall adopt regulations requiring Public Address systems with backup power for public assemblies > 10,000
13109	Allows entry during reasonable hours of public occupancies for enforcement.
13110.5	OSFM shall gather statistical info. On all fires, medical incidents and hazmat occurring in the State OSFM shall annually analyze this data and compile a report to each fire official in the State
13110.7	OSFM shall establish and maintain a registry of burn injuries and deaths and annually compile a report OSFM shall cooperate in developing a form for reporting burn information
13111	OSFM may adopt a model ordinance to establish uniform schedule and rates for assessments for fire suppression services (GC 50078.2)
13112.1	Revenues collected as OSFM fines and forfeitures deposited to Fire and Arson Training Fund and available to the OSFM
13113.5	OSFM shall adopt regulations requiring installation of auto. Fire devices for 24 hr. less than 6 person care facilities.
13113.7.a.2	OSFM may adopt regulations exempting dwellings from smoke detectors if they have a sprinkler system
13113.8.j 2.b	OSFM shall develop regulations for the labeling and packaging of burglar bars
13114	OSFM with the advice of the SBFS shall adopt regulations and standards for fire alarm systems
13114.1	OSFM shall prepare and distribute materials about the dangers of burglar bars
13114.2	OSFM shall adopt regulations to control the quality and installation of burglar bars and release mechanisms
13116	OSFM shall prepare and adopt regulations establishing minimum standards regarding tents
13120	OSFM shall establish minimum standards to regulate the manufacture, sale, and application of flame retardant chemicals and treated fabrics
13122	OSFM shall promulgate the annual printing of a list of flame retardant chemicals and fabrics
13126	OSFM, with advice from State Fire Advisory Board, shall prepare rules and standards and procedures for approval of flame retardant chemicals, materials, etc
13127	OSFM regards providing forms for applicants for consideration of flame retardant chemicals and materials
13129	OSFM shall annually remove the names of chemicals and materials who have not paid their fees
13133.a	OSFM shall develop and adopt regulations establishing new occupancy classifications and standards for residential care facilities
13135	OSFM shall adopt regulations for alcoholism and drug abuse recovery facilities
13155	CFSTE Program Act
13156	OSFM with advice from SBFS shall manage the California Fire Service Training and Education program
13157	Adopt rules and regulations,
(a)	
	(b) Establish courses of study and curriculum
	(c) Establish prerequisites
	(d) Establish and collect fees
13158	OSFM shall employ a program manager and staff to perform the functions of the CFSTE Program
13159	OSFM with advice from SBFS shall have the following responsibilities
(a)	Heavy rescue training program for volunteers
(b)	Minimum standards for fire service personnel and fire service instructors
(f)	Determine the need and recommend locations for regional training sites
(g)	Develop a model plan or system for the control of fires and safety of FFs where HazMat is involved
(h)	Study the feasibility of establishing a depository on HazMat characteristics
13159.4	OSFM Shall annually review and revise the CFSTE Program and establish priorities for the use of State and Federal training and ed. Funds (except for CDF funds)
13140	Establishes the State Board of Fire Services
13140.5	Includes the SFM and Deputy Director of CDF as members to the SBFS

13140.7	SFM shall act as chairman of the SBFS and provide staff services
13143.1	OSFM , with the advice of the SBFS, shall prepare adopt, and submit building standards
13143.2	OSFM shall adopt and amend and repeal fire safety rules and regulations
13143.4	OSFM shall adopt regulations to authorize NFPA 704 Standard System Diamonds for identification of Fire Hazards of Materials
13143.5.g	OSFM, with the Dept. of Housing and Community Development, shall transmit a report to the Bldg. Stdrds. Comm. Regards panic safety
13143.6	OSFM shall prepare and adopt regulations establishing standards for institutions housing persons for protective social care
13143.8	OSFM shall notify the local enforcement agency of the SFM's interpretation of provisions, etc.
13143.9	OSFM prepares and adopts building standards for the storage and handling and use of Hazardous materials
13144	OSFM shall prepare in book or bulletin form excerpts of the law, rules, and regs. Dealing with fire and panic safety
13144.1	OSFM shall biennially prepare listings of construction materials and equipment of construction and installation of eqpt. For panic safety requirements
13144.5	OSFM shall prepare and conduct voluntary regular training sessions to the interpretation and application of laws relating to Title 19 and 24
13146.c	OSFM shall have the authority to enforce building standards in areas outside of corporate cities and districts
13146.d	OSFM shall enforce building standards in corporate cities and districts providing fire
13146.1	OSFM shall inspect every jail or place of detention unless a local chief indicates in writing that they'll do so
13146.3	OSFM shall inspect every building used for public or private schools outside of corporate cities of fire districts
13195	OSFM shall adopt and administer regs. And standards to establish a program for servicing fire ext. systems
13160	OSFM shall adopt rules and regs regards portable fire extinguishers
1318191	OSFM establishes original and annual fee for license
13201	OSFM shall adopt standards for drycleaners
13810	Describes LAFCO notice to CDF re: SRA to be included in a district
18897.7	OSFM rules and regs regards organized camps
25197.2	Statewide hazardous Waste Strike Force shall consist of representatives from OSFM in CDF
25500 at 25503	In o order to protect health, safety and environment establishes business and area plans relative to HazMat, and sets minimum standards after consultation with OSFM
42820	Secretary of resources shall establish the Ca Climate Action Registry and (42823.a.4.b) shall coordinate with CDF to provide referrals
43830.8.g	CDF shall be consulted regards the production, use, or disposal of motor vehicle fuel
<b>Penal Code</b>	
374.3(d)	CDF may determine whether placing or dumping waste matter creates a public health and safety hazard
384a	CDF and others may enforce the provisions of this section and may confiscate species identified
409.5(a)	CDF Peace Officers may close an area where a menace to public health and safety exists
409.5(b)	CDF Peace Officers may close the immediate area of a command post
409.6(a) & (b)	(a) CDF Peace Officers may close an area of an avalanche and (b) may close the area of the ICP
830.2	CDF Peace Officers authority extends throughout the State
2780.5	Director of Corrections authorizes CDF to use crews outside the State for 25 miles
13510.5	CDF and OSFM POST rules establishing minimum standards of training for peace officers
<b>Fish &amp; Game Code</b>	
703	CDF the lead agency for review of THPs
1360 at 1363(a)(1)	Establishes the Oak Woodlands Conservation Act and authorizes CDF to make initial recommendations
1365	CDF shall be consulted regards guidelines for the Oak Woodlands Conservation Fund
1367	CDF will participate in the development of a Memorandum of Understanding regarding the protection of oak woodlands
1385	Establishes the California Riparian Habitat Conservation Act

1389	Preservation of Riparian habitat shall be a primary concern of agencies and CDF
10740	CDF may travel by boat or motorized vehicle in primitive areas for emergencies
<b>Government Code</b>	
850	Neither a public entity or employee is liable for failure to establish a fire dept.
850.8	Members of an organized FD, including CDF, may transport persons injured by fire
6500 at 6503.1	Defines Public Agency for JPAs and then defines, at (b) "Fire protection".
8601	Seismic Safety Commission shall establish an urban search and rescue emergency response advisory committee to include CDFFF
8588.1	Establishes the Emergency Response Training Advisory Committee and, at (d) (1) commits the OSFM to serve
8589.1	Establishes the State Computer Emergency Data Exchange Program (SCEDEP) and requires participation by CDF and OSFM
8597	Peace Officer responsibilities for CDF employees during state of emergency
8549.1	CA has an "Emergency Response Team for State Operations" and at 8549.11 includes SFM and CDF Director
24000	Describes who are officers of a county and at 24008(a) includes fire warden and that they will enforce the rules of the CDF and OSFM
25210	Chapter provides additional alternative method for furnishing gov. services and at 25210.5 defines "structural fire protection"
25620	Shade Tree Law of 1909 - County BOS may appoint a county BOF and they may cooperate with CDF BOF and may have fire protection
50078.1	Defines Fire Suppression to include firefighting and fire prevention including vegetation removal for the reduction of a fire hazard
51010	It's the intent of the legislature that the OSFM shall exercise exclusive safety regulatory and enforcement over intrastate haz. Pipelines
51011	OSFM shall adopt hazardous liquid pipeline safety regulations
51012	OSFM shall establish a Pipeline Safety Advisory Committee
53971.4	Defines Fire Protection Services as including EMS, and the at (b) describes EMS but concludes that the section applies to San Bernardino County only
55640	County B. O.S. may provide rescue and resuscitator services throughout the County and may contract with CDF for those services
55641	CDF may exercise the same powers and duties within the county for rescue and resuscitator services as state and local law are conferred upon the county
51100	CA Timberland Productivity Act and at 51102(b) that timber operations be consistent with BOF rules
53100	Warren 911 Emergency Assistance Act - at 53114(b) requires consultation with OSFM and CDF
53019	CA public policy that the control of fires and dangerous conditions is a matter of statewide concern and further discusses mutual aid and reimbursement
53067(b)	CDF shall furnish to every public agency copies of three books about pruning trees.
55608	When a contract has been made, the Director of CDF or the county fire warden may exercise the same powers for prevention and suppression as local officers
55606	County B.O.S. may contract with the state, through CDF, for prevention and suppression
55607	CDF may contract with the county for the performance of the County Fire Warden
65302.5	Safety elements of general plans shall be submitted to the BOF who, at 65302.5(a)(3) shall review and report recommendations in writing
8592 at 8592.1(b)	CDF to be part of the Public Safety Radio Strategic Planning Committee
8574.21(b)	CDF and OSFM on OES curriculum development advisory committee
8574.1 at 8574.9	Establishes the oil spill contingency plan and OSFM and CDF shall be on the committee
<b>Public Utilities Code</b>	
7718.(a)	CDF shall be part of the Railroad Accident Prevention and Immediate Deployment Force
<b>Civil Code</b>	
1103.2	Disclosure Statement "It is not the state's responsibility to provide fire protection services to any building or structure located within wildlands without CDF contract
<b>Food &amp; Ag. Code</b>	
577	UC establish a pest research center and develop priorities in cooperation with CDF

<b>Insurance Code</b>	
1875	CDF and OSFM are "Authorized Agencies" to request information from insurance companies when arson is suspected
<b>Water Code</b>	
35412	Irish Beach Water District shall have no authority over CDF regarding the prevention and suppression without consent
75647.2	Requires consultation with CDF and others for the purpose of developing an incentive based watershed rehabilitation project
<b>Public Resources</b>	
700	Establishes CDF and the B.O.F.
702	Adds OSFM within CDF (pursuant to H7SC 13100 and 13101)
702 (c)	SFM may appoint assistants and DSFM (H&SC 12551, 13102, & 13103)
702 (d)	SBFS within SFMO (H&SC 13140)
709	CDF Director shall assure an adequate # of employees to perform the duties required under Z'berg Nejedly Forest Practice Act
710	CDF Director may not amend orders of the BOF
711	CDF Director may accept grants for the purpose for which the Department is established
712	CDF may not adopt a building standard as defined in H7SC 18909 unless H&SC 18930, 33, 38, 40, 44, & 45 are expressly excepted.
713	Department is responsible for fire protection, prevention, maintenance and enhancement of State's forest, range, and brushland resources, Contract fire protection, associated emergency services, and assistance in civil disasters and nonfire emergencies
714	Department is responsible for
714(a)	Providing fire protection, prevention, pest control, and forest and range protecting and enhancement implements and apparatus as necessary
714(b)	Maintaining an integrated staff to accomplish fire protection, prevention, pest control, and forest and range enhancement
714(c)	Establishing and maintain facilities for fire protection, prevention, pest control, and forest and range protection and enhancement
714 (d)	Enforcing forest and fire laws, Z'berg-Nejedly FPA, (chapter 8 commencing at Part 2, Division 4) and other laws specified in Division 4 (at 4001)
715	CDF, with CA OES, shall develop a program to certify active duty military pilots to engage in firefighting
2710	Surface Mining and Reclamation Act of 1975 causes consultation with CDF for revegetation and postclosure uses
4112	CDF will divide the state into suitable and convenient districts and appoint a forest officer for each district
4114	The Department in accordance with a plan approved by the Board shall do all of the following
(1)	Provide fire prevention and firefighting implements and apparatus
(2)	Organize fire crews and patrols
(3)	Establish observation stations and other necessary structures
(4)	Employ people to effect the plan
(5)	Construct and maintain telephone lines and other means of communications necessary to prevent and extinguish forest fires
(b)	The Dept. may provide (when it does not cost additional funds) rescue, first aid, and other emergency services to the public in SRA (Div. 2, Section 1797 H&SC)
4118	The department may determine that burning of dead or downed vegetation is necessary for the prevention or suppression of forest fires
4119	CDF shall enforce forest and fire laws and may inspect properties (exterior) for compliance
4123	The Director shall establish a working group to identify incentives for prefire activities in SRA and interface, identify costshares for prefire, report findings
4141	CDF may , for prevention and suppression of forest fires, enter into cooperative agreements
4142	CDF may enter into cooperative agreements for the purpose of preventing forest or other fires in lands within a county, city, or district
4143(a)	CDF in its primary mission, of wildland fire protection as well as response to major fires or other disasters will not be reduced or impaired
4144	CDF may enter into a cooperative agreement
4371	In this subsection, Fire Protection Agency means CDF on all SRA (PRC 4125) and applicable FPD, Service District, County FD, or Feds on all other land
4461	Wildland Fire Protection and Resource Mgmt Act of 1978 provides for burning and burn crews



4750	Sudden Oak Death Management Act of '02 - directs CDF to administer the program
5932	CDF considered as "the Board" where jurisdictionally appropriate for purposes of the California Wildlife< coastal< and ARK Land Conservation Fund of 1988
25730	CDF and others will update the inventory of greenhouse gas emissions, establish a climate change advisory committee, etc.
42243	CDF and DPr shall initiate programs to restore public lands that use compost, co-compost, rice straw, etc and shall use those products or materials whenever possible
5096.46	CDF will consult with the State Air Resources Board in developing guidelines for grants for planting